

REMARKS/ARGUMENTS

This Reply is being filed in response to the second, non-final Official Action of September 5, 2007. Initially, Applicants note with appreciation the indication that Claims 3-10, 13-20, 21-24, 29 and 30 are allowed or allowable. Nonetheless, the second Official Action rejects the remaining claims, namely Claims 1, 2, 11, 12 and 25-28, under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,539,006 to Taylor. As explained below, Applicants respectfully submit that the claimed invention is patentably distinct from Taylor, and accordingly, traverse the rejections of the claims as being anticipated by Taylor. Nonetheless, Applicants have amended the title of the invention to more clearly reflect the claimed invention. In view of the amendment to the title and the remarks presented herein, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.

According to one aspect of the claimed invention, as reflected by independent Claim 1, a method is provided for reducing interference within a local channel signal received during operation of a mobile station in an idle state and/or an access state. As recited, the method includes selecting one or more interfering pilot channel signals that have a signal strength above a threshold, where the selected at least one interfering pilot channel signal constitutes an interfering set of pilot channel signals. The method also includes producing a corrected local channel signal based upon the interfering set of pilot channel signals during the idle state and/or the access state.

Briefly, Taylor discloses a system and method for determining the suitability of a base station for connecting to a mobile station. In contrast to independent Claim 1 (and the claimed invention in general), however, Taylor does not teach or suggest interference cancellation in the idle and/or access states. That is, Taylor does not teach or suggest canceling interference in a local channel signal based on an interfering pilot channel signal (pilot channel signal having a signal strength above a threshold), and during operation of the mobile station in the idle and/or access states. In the Official Action, the Examiner explains with respect to Taylor:

Taylor ... teaches a method and apparatus for reducing interference in the mobile station during the idle state comprising repeatedly monitoring and selecting the pilot channels which have the signal strength above the threshold and placing them in the ACTIVE SET and the corrected local channel (for the

mobile station) will be produced based on the updated ACTIVE SET of the pilot signals.

Official Action of Sep. 5, 2007, pp. 2-3, *citing* Taylor, FIGS. 1, 2; col. 2, l. 1 – col. 3, l. 52; and col. 5, l. 6 – col. 6, l. 29.

Taylor may disclose an Active set that, in the idle mode, includes the pilot signal of a connected, local base station (and only the local base station). Taylor may also disclose monitoring the pilot signals of a neighbor set of base stations for the strongest signal when the local pilot signal becomes too weak, where the mobile station may handoff to the neighbor base station and thus replace the local base station with it in the Active Set. However, Taylor does not teach or suggest reducing interference during the idle state as alleged. In fact, Taylor does not appear to teach or suggest reducing interference in any state of operation of the mobile station. Rather, Taylor instead appears directed to a technique for selecting a base station for connection to a mobile station from base stations determined suitable for such connection. And although determining the suitability of a base station may include demodulating data from a potential base station concurrent with data from the local base station (i.e., the base station in the Active Set in the idle mode), Taylor explicitly discloses that the data are demodulated independent of one another (or at least that the data from the potential base station is demodulated independent of that from the local base station). *See* Taylor, col. 2, ll. 62-66. And as such, even demodulating data from a potential base station and a local base station, Taylor still does not teach or suggest producing a local channel signal based on an interfering set of pilot channel signals, as recited by the claimed invention.

Applicants therefore respectfully submit that independent Claim 1, and by dependency Claims 2-10, 25 and 26, is patentably distinct from Taylor. Independent Claims 11 and 21 recite subject matter similar to that of amended independent Claim 1, including the aforementioned interference cancellation in the idle state and/or access state. Thus, Applicants also respectfully submit that independent Claims 11 and 21, and by dependency Claims 12-20, 22-24 and 27-30, are also patentably distinct from Taylor, for at least the reasons given above with respect to independent Claim 1.

For at least the foregoing reasons, Applicants respectfully submit that the rejection of

Appl. No.: 10/653,509
Amdt. dated December 5, 2007
Reply to Official Action of September 5, 2007

Claims 1, 2, 11, 12 and 25-28 as being anticipated by Taylor is overcome.

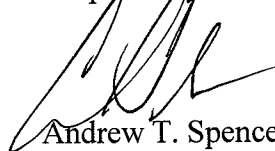
Appl. No.: 10/653,509
Amdt. dated December 5, 2007
Reply to Official Action of September 5, 2007

CONCLUSION

In view of the amendment to the title and the remarks presented above, Applicants respectfully submit that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicants' undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Andrew T. Spence
Registration No. 45,699

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON DECEMBER 5, 2007.

LEGAL02/30622955v1